

FILED

September 14, 2006
**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

In the Matter of:

ANDREW SMITH, M.D.

CONSENT ORDER

This matter was opened before the New Jersey State Board of Medical Examiners ("Board") upon the Board's receipt of a report from the Medical Practitioner Review Panel ("Panel") detailing findings made by the Panel at the conclusion of the Panel's investigation of respondent Andrew Smith, M.D. The Panel commenced an investigation of respondent's practice upon receipt of a report from JFK Medical Center ("JFK") detailing that Dr. Smith's employment agreement with JFK was terminated for cause on August 8, 2003.

The Panel reviewed available information provided by JFK concerning the events which led to respondent's termination, and considered testimony offered by Dr. Smith when he appeared before the Panel on May 21, 2004 and June 18, 2004, represented by Susan Karlovich, Esq. During the course of its investigation, the Panel also reviewed information concerning representations which respondent made on an application for licensure which he filed with the Board in or about December 2003.

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The Board finds that respondent misrepresented information concerning the action that was taken against him by JFK upon the licensure application he submitted to the Board for re-licensure in or about December 2003. Specifically, respondent failed to disclose the fact that he had been terminated from employment by JFK and falsely represented, on an attachment to said application, that he had "resigned" from his position at JFK.

The Panel and the Board have concluded that grounds for disciplinary action against respondent exist based on respondent's misrepresentation of information concerning the circumstances of his departure from JFK, pursuant to N.J.S.A. 45:1-21(a) and (b). The parties seeking to resolve this matter without the need for further administrative proceedings, and the Board being satisfied that good cause exists for the entry of the within Order,

IT IS on this 13th day of *September*, 2006

ORDERED:

1. Respondent Andrew Smith, M.D., is hereby formally reprimanded for having misrepresented information set forth on a licensure application filed with the Board, in violation of N.J.S.A. 45:1-21 (a) and (b).
2. Respondent Andrew Smith, M.D., is hereby ordered to take and successfully complete a course in professional ethics, acceptable to the Board, within six months of the date of entry of this Order. Respondent shall bear all costs associated with said course, and shall be responsible to ensure that the course provider

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submits a written evaluation of respondent's performance in the course to the Board upon the conclusion of the course.

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

By:

Sindy M. Paul, M.D.
Sindy Paul, M.D.
Board President

I consent to the entry of
this Order by the State
Board of Medical Examiners

Andrew Smith, M.D.

24 August 2006.